

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JON FIGLIOLINI,
(Petitioner)

v.

UNITED STATES OF AMERICA,
Respondent.

CIVIL ACTION NO.
04-12192-GAO

PETITIONER'S REQUEST TO FILE A RESPONSE TO THE GOVERNMENT'S
OPPOSITION TO PETITIONER'S MOTION TO VACATE, SET ASIDE, OR
CORRECT SENTENCE BY A PERSON IN FEDERAL CUSTODY

Jon Figliolini "Petitioner", acting pro-se, hereby respectfully requests this Honorable Court allow him to respond to the Government's Opposition to Petitioner's Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody "Government's Opposition". Petitioner also requests that this Honorable allow him to file a response to the Government's Opposition no later then December 2, 2004.

As grounds for this motion the Petitioner relies on the following:

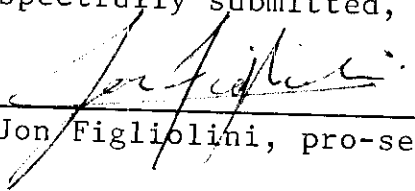
1. The Government, in its opposition, raises procedural defenses to Petitioner's Motion.
2. Petitioner did not receive a copy of the Government's Opposition until November 4, 2004.
3. Petitioner is allowed limited access to limited legal resources and is acting pro-se.
4. Petitioner is waiting on independant evidence, from the out side, to prove that Petitioner's Motion existed in April 2004, and was mailed to the Court on April 6, 2004.

5. The Government is mistaken or in error as to its relitigation claim. The issues set forth in Petitioner's Motion were never raised or decided in this Court and Petitioner needs time to research the issue.

WHEREFORE, Petitioner prays that this Honorable Court allow him to respond to the Government's Opposition no later than December 2, 2004.

Dated: November 5, 2004.

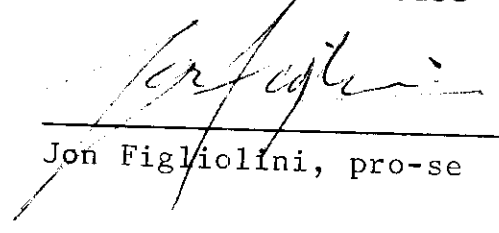
Respectfully submitted,

by 
Jon Figliolini, pro-se

CERTIFICATE OF SERVICE

I, Jon Figliolini, do hereby certify that a copy of the foregoing was served this date, by U.S. MAIL upon AUSA Patrick M. Hamilton, United States Attorney's Office, One Courthouse Way, Boston, Ma. 02210.

Date: November 5, 2004.


Jon Figliolini, pro-se